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**Frank Battle**

From: Bryan Hebert  
Sent: Wednesday, January 19, 2011 2:55 PM  
To: Bryan Hebert  
Subject: voter ID

-----Original Message-----

From: Bryan Hebert  
Sent: Thursday, January 13, 2011 3:05 PM  
To: Noe Barrios  
Subject: voter ID

Noe -

Blaine mentioned that your boss had some concerns about whether Fraser's voter ID bill complied with the Voting Rights Act. As you know, all changes to Texas election law have to be pre-cleared by the DOJ or the DC Circuit Court. The good news is that the US Supreme Court has already upheld a similar photo ID law in Indiana. Below are some notes I prepared last session that incorporate parts of the Court's findings in that case. Let me know if you want to chat more.

**ENSURING COMPLIANCE WITH SUPREME COURT**

**I. LEGITIMATE STATE INTERESTS**

- Deterring and detecting fraud
- Improving and modernizing election procedures
- Protecting against fraud enabled by inaccurate registration rolls
- Counting only eligible voters' votes
- Protecting public confidence in elections

**II. MEASURES REQUIRED TO OFFSET BURDENS ON VOTERS**

- Access to free photo ID cards
- Availability of provisional ballots and absentee ballots
- Ensure that obtaining ID is no more inconvenient or burdensome than usual act of voting

**III. MEASURES RECOMMENDED TO OFFSET BURDENS ON VOTERS**

- Phase-in over two election cycles (as prescribed by Carter-Baker Report)
- Exception for certain elderly voters (to decrease size of class of voters adversely impacted by law)

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